

CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Harui et al. Attorney Docket No: BIOL0070
Serial No: 10/757,971 Group Art Unit: 3751
Filed: January 15, 2004 Examiner: Maust, Timothy Lewis
Confirmation No: 4262
Title: CELL SUSPENSION ROTATING FLUIDIC PUMP

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Bellevue, Washington 98004

May 16, 2008

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

The following is in response to a Restriction Requirement mailed May 12, 2008, in regard to the above-identified patent application.

The Examiner indicates that there are two groups of patentably distinct inventions defined by the claims in this application, as follows:

Group I – Claims 1-32, which is directed to a syringe pump and a fluid dispensing device and have been classified in Class 604; and

Group II – Claims 33-43, which is directed toward a method for dispensing a fluid containing substantially uniformly distributed particulates and has been classified in Class 141, subclass 34.

Election of Group

In response to this Restriction, applicants hereby affirmatively elect the claims of Group II (i.e., Claims 33-43), *without traverse*, subject to applicants' right to file one or more divisional applications directed to the non-elected invention.

Respectfully submitted,

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SKM/RMA:elm